



United States  
Department of  
Agriculture

Food and  
Consumer  
Service

Mountain  
Plains  
Region

1244 Speer Boulevard  
Denver, CO  
80204-2581

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Reply to  
Attn of:

SP-03-03

Subject:

Exemptions Under the Competitive Foods Regulation

To:

STATE AGENCY DIRECTORS -  
(Special Nutrition Programs)

Colorado ED, Iowa, Kansas, Missouri ED,  
Montana OPI, Nebraska, North Dakota,  
South Dakota, Utah and Wyoming

This is to inform you of recent changes to the list of exemptions under the Competitive Foods Regulation. Brach's Confection, Inc.® has added Clifford, the Big Red Dog™ Fruit Snacks to the list of products exempted from the jellies and gums category of "foods of minimal nutritional value" as defined in 7CFR Part 210.11(a)(2) and Part 220.2(i-1).

The exemption of the product listed above means that it is no longer considered a food of minimal nutritional value and can therefore be sold during the meal period in a school food service area.

This does not mean that this product is approved or endorsed by the Food and Nutrition Service. Nor does an exemption indicate that this product has significant nutritional value. In addition, the exemption and memo should not be perceived as guidance or encouragement to State agencies and school food authorities concerning its possible purchase.


As always, please be aware that several companies with exempted foods produce similar products that are not exempted and are therefore still considered foods of minimal nutritional value. The exemption of one product does not mean that similar products or a family of products are exempted unless specifically stated in an exemption letter.

The ingredient statement of each exempted food is included in the enclosed exemption list. This should allow schools to differentiate between exempted products and similar non-exempted products.

State Agency Directors

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If there are any questions, please contact Gina O'Brian of my staff at (303) 844-0355.

  
for DARLENE SANCHEZ  
Regional Director  
Special Nutrition Programs

Attachment

Updated 10/08/02

## **EXEMPTIONS UNDER THE COMPETITIVE FOODS REGULATION**

### **Knudson and Sons, Inc.**

#### **Orange Passionfruit Spritzer**

Labels bearing the above product name will have the following ingredient statement:  
Sparkling water; white grape, passionfruit and orange juice concentrates; natural flavors.

#### **Orange Spritzer**

Labels bearing the above product name will have the following ingredient statement:  
Sparkling water, concentrated white grape and orange juices, natural flavor.

#### **Jamaican Style Lemonade Spritzer**

Labels bearing the above product name will have the following ingredient statement:  
Sparkling water, white grape and lemon juice concentrates, natural flavors.

### **ELFIZZ**

#### **Grape flavored sparkling fruit juice beverage from concentrates**

Labels bearing the above product name will have the following ingredient statement:  
Sparkling water, concentrated white grape and concord grape juice, concentrated acerola cherry puree, natural flavors.

#### **Cherry flavored sparkling fruit juice beverage from concentrates**

Labels bearing the above product name will have the following ingredients statement:  
Sparkling water, concentrated apple, cherry pineapple and plum juices; natural flavors, concentrated acerola cherry puree.

#### **Strawberry flavored sparkling fruit juice beverage from concentrates**

Labels bearing the above product name will have the following ingredient statement:  
Sparkling water, concentrated white grape, apple, strawberry and pineapple juices; concentrated acerola cherry puree, natural flavors, grape skin extract (for color).

### **Raspberry flavored sparkling fruit juice beverage from concentrates**

Labels bearing the above product name will have the following ingredients statement:

Sparkling water, concentrated white grape and raspberry juices, natural flavors, concentrated acerola cherry puree.

### **Orange flavored sparkling fruit juice beverage from concentrates**

Labels bearing the above product name will have the following ingredients statement:

Sparkling water, concentrated white grape, orange and apple juices; orange oil.

### **Cherry Cola flavored sparkling fruit juice beverage from concentrates**

Labels bearing the above product name will have the following ingredient statement:

Sparkling water, concentrated white grape and cherry juices; natural flavors, concentrated acerola cherry puree.

**Great Brands of Canada, Ltd.**

### **ALL CANADIAN BRAND**

**Sparkling Spring Water with natural fruit flavors (Strawberry)**

**Sparkling Spring Water with natural fruit flavors (Black Cherry)**

**Sparkling Spring Water with natural fruit flavors (Raspberry)**

**Sparkling Spring Water with natural fruit flavors (Peach Orange)**

**Sparkling Spring Water with natural fruit flavors (Watermelon)**

**Sparkling Spring Water with natural fruit flavors (Lemon Lime)**

Labels bearing the above product names will have the following ingredient statement:

Spring water, high fructose corn syrup, citric acid, concentrated fruit juice (Caribbean cherry and/or Kiwi), natural flavors, sodium benzoate, potassium sorbate (as a preservative), ascorbic acid (as antioxidant), carbon dioxide.

## **Farley Foods, U.S.A.**

### **Farley's THE ROLL Cherry Fruit Roll slp**

Labels bearing the above product name will have the following ingredient statement:

Fruit (pears, oranges, cherries) sucrose, maltodextrin, partially hydrogenated vegetable oil (cottonseed, soybean), malic acid, citric acid, glycerol monostearate, natural and artificial flavor, pectin, ascorbic acid (vitamin C), alphatocopherol acetate (vitamin E), beta carotene (vitamin A), red 40.

### **Farley's THE ROLL Strawberry Fruit Roll slp**

Labels bearing the above product name will have the following ingredient statement:

Fruit (pears, oranges, strawberries) sucrose, maltodextrin, partially hydrogenated vegetable oil (cottonseed, soybean), malic acid, citric acid, glycerol monostearate, natural and artificial flavor, pectin, ascorbic acid (vitamin C), Alphatocopherol acetate (vitamin E), beta carotene (vitamin A), red 40.

## **General Mills, Inc.**

### **FRUIT by the FOOT (SPECIAL EDITION)**

#### **Color by the Foot, Triple Fruit Punch**

Labels bearing the above product name will have the following ingredient statement:

Orange juice from concentrate, grapes from concentrate, sugar, maltodextrin, pears from concentrate, corn syrup, partially hydrogenated cottonseed oil, carrageenan, citric acid, monoglycerides, sodium citrate, malic acid, acetylated mono and diglycerides, xanthan gum, vitamin C (ascorbic acid), locust bean gum, natural flavor, potassium citrate, yellow 5, red 40, blue 1.

#### **Strawberry Fruit by the Foot**

Labels bearing the above product name will have the following ingredient statement:

Orange juice from concentrate, grape juice from concentrate, sugar, maltodextrin, corn syrup, strawberries from concentrate, partially hydrogenated cottonseed oil, carrageenan, citric acid, acetylated mono and diglycerides, sodium citrate, malic acid, xanthan gum, vitamin C (ascorbic acid), locust bean gum, potassium citrate, natural and artificial flavor, red 40.

#### **Berry Tie-Dye Fruit by the Foot**

Labels bearing the above product name will have the following ingredient statement:

Orange juice from concentrate, grapes from concentrate, sugar, maltodextrin, pears from concentrate, corn syrup, partially hydrogenated cottonseed oil, carrageenan, citric acid, distilled

monoglycerides, sodium citrate, malic acid, acetylated mono and diglycerides, xanthan gum, vitamin C (ascorbic acid), locust bean gum, potassium citrate, natural flavor, red 40, blue 1.

### **FRUIT ROLL-UPS (SPECIAL EDITION)**

#### **Strawberry Punch Fruit Roll-Up**

Labels bearing the above product name will have the following ingredient statement:

Pears from concentrate, orange juice from concentrate, corn syrup, dried corn syrup, sugar, strawberries, partially hydrogenated cottonseed oil, citric acid, sodium citrate, acetylated mono and diglycerides, pectin, malic acid, vitamin C (ascorbic acid), natural flavor, red 40, glycerin.

#### **Crazy Color Fruit Roll-Up**

Labels bearing the above product name will have the following ingredient statement:

Pears from concentrate, orange juice from concentrate, corn syrup, dried corn syrup, sugar, partially hydrogenated cottonseed oil, citric acid, sodium citrate, acetylated mono and diglycerides, pectin, malic acid, vitamin C (ascorbic acid), glycerin, natural flavor, color (yellow 5, red 40, blue 1)n.

#### **Screamin' Green Hot Color Fruit Roll-Up**

Labels bearing the above product name will have the following ingredient statement:

Pears from concentrate, orange juice from concentrate, corn syrup, dried corn syrup, sugar, partially hydrogenated cottonseed oil, citric acid, sodium citrate, acetylated mono and diglycerides, pectin, malic acid, vitamin C (ascorbic acid), natural flavor, color (yellow 5, blue 1), glycerin.

#### **Electric Yellow Hot Color Fruit Roll-Up**

Labels bearing the above product name will have the following ingredient statement:

Pears from concentrate, orange juice from concentrate, corn syrup, dried corn syrup, sugar, partially hydrogenated cottonseed oil, citric acid, sodium citrate, acetylated mono and diglycerides, pectin, malic acid, vitamin C (ascorbic acid), natural flavor, yellow 5, glycerin.

#### **Sizzling Red Hot Color Fruit Roll-Up**

Labels bearing the above product name will have the following ingredient statement:

Pears from concentrate, orange juice from concentrate, corn syrup, dried corn syrup, sugar, partially hydrogenated cottonseed oil, citric acid, sodium citrate, acetylated mono and diglycerides, pectin, malic acid, vitamin C (ascorbic acid), natural flavor, high fructose corn syrup, red 40, glycerin.

#### **Tropical Cherry Fruit Roll-Up**

Labels bearing the above product name will have the following ingredient statement:

Pears from concentrate, corn syrup, orange juice from concentrate, dried corn syrup, sugar, partially hydrogenated cottonseed oil, citric acid, sodium citrate, acetylated mono and diglycerides, pectin, malic acid, vitamin C (ascorbic acid), natural flavor, red 40, glycerin.

### **Blazin' Blue Hot Color Fruit Roll-Up**

Labels bearing the above product name will have the following ingredient statement:

Pears from concentrate, orange juice from concentrate, corn syrup, dried corn syrup, sugar, partially hydrogenated cottonseed oil, citric acid, sodium citrate, acetylated mono and diglycerides, pectin, malic acid, vitamin C (ascorbic acid), natural flavor, blue #1, glycerin.

### **Tropical Tie-Dye Fruit Roll-Up**

Labels bearing the above product name will have the following ingredient statement:

Pears from concentrate, orange juice from concentrate, corn syrup, dried corn syrup, sugar, partially hydrogenated cottonseed oil, citric acid, sodium citrate, acetylated mono and diglycerides, pectin, malic acid, vitamin C (ascorbic acid), natural flavor, red 40, yellow 5, blue 1, glycerin.

### **FRUIT STRING THING (SPECIAL EDITION)**

#### **Sneaky Stripes - Double Berry Punch Flavored**

Labels bearing the above product name will have the following ingredient statement:

Orange juice from concentrate, grapes from concentrate, sugar, corn syrup, modified corn starch, pears from concentrate, dried corn syrup, partially hydrogenated cottonseed oil, citric acid, carrageenan, sodium citrate, monoglycerides, malic acid, vitamin C (ascorbic acid), high fructose corn syrup, potassium citrate, natural flavor, yellow 6, blue 1.

#### **Strawberry Punch**

Labels bearing the above product name will have the following ingredient statement:

Orange juice from concentrate, grapes from concentrate, corn syrup, sugar, modified corn starch, pears from concentrate, dried corn syrup, partially hydrogenated cottonseed oil, citric acid, carrageenan, sodium citrate, monoglycerides, malic acid, vitamin C (ascorbic acid), potassium citrate, natural flavor, red 40.

### **FRUIT GUSHERS FRUIT SNACK (SPECIAL EDITION)**

#### **Fruit Gushers® Strawberry Punch**

Labels bearing the above product name will have the following ingredient statement:

Pears from concentrate, orange juice from concentrate, sugar, dried corn syrup, corn syrup, modified corn starch, fructose, strawberries from concentrate, partially hydrogenated cottonseed oil, grape juice from concentrate, maltodextrin, carrageenan, citric acid, glycerin, distilled

monoglycerides, sodium citrate, malic acid, vitamin C (ascorbic acid), natural flavor, potassium citrate, agar-agar, red #40, xanthan gum.

### **FRUIT SNACKS (SPECIAL EDITION)**

#### **Pokemon™ Rolls® Punch Red**

Labels bearing the above product name will have the following ingredient statement:

Orange juice concentrate, grapes from concentrate, sugar, maltodextrin, pears from concentrate, corn syrup, partially hydrogenated cottonseed oil, carrageenan, citric acid, monoglycerides, sodium citrate, malic acid, acetylated mono and diglycerides, xanthan gum, vitamin c (ascorbic acid), locust bean gum, natural flavor, potassium citrate, red 40.

#### **Scooby-Doo Fruit Snacks**

Labels bearing the above product name will have the following ingredient statement:

Orange juice from concentrate, corn syrup, sugar, modified corn starch, pectin, citric acid, sodium citrate, dextrose, vitamin C (ascorbic acid), malic acid, mineral oil, potassium citrate, natural and artificial flavor, color (red 40, yellows 5 & 6, blue 1 and other color added), carnauba wax, beeswax, sulfiting agents.

## **Canada Pure Water Company LTD**

### **SPARKLING REFRESHERS**

#### **Wildberry**

#### **Black Cherry**

#### **Peach**

#### **Raspberry**

Labels bearing the above product name will have the following ingredient statement:

Spring water, fructose, clarified orange juice concentrate, citric acid, natural flavors, malic acid, ascorbic acid, sodium benzoate (preservative), potassium sorbate (preservative), sodium citrate, CO<sub>2</sub>

#### **Lemon Lime**

#### **Orange**

Labels bearing the above product names will have the following ingredient statement:

Spring water, fructose, clarified orange juice concentrate, citric acid, natural flavors, ascorbic acid, sodium benzoate (preservative), potassium sorbate (preservative), CO<sub>2</sub>

## **Clearly Canadian Beverage Corporation**

### **QUENCHER**

**Grape**

**Apple**

**Tropical Lime**

**Fruit & Berry**

Labels bearing the above product names will have the following ingredient statement:

Carbonated water, high fructose corn syrup, natural flavour, concentrated kiwi juice, citric acid, sodium benzoate (to conserve freshness).

## **North Face Beverages**

### **SPLASH THIRST QUENCHER**

**Cherry**

Labels bearing the above product name have the following ingredient statement:

Carbonated spring water, fructose, corn syrup, lemon, orange, cherry and grape juice concentrates, citric acid, natural flavors, sodium benzoate, potassium sorbate, red 40.

**Lemon Lime**

Labels bearing the above product name have the following ingredient statement:

Carbonated spring water, fructose, corn syrup, lemon and lime juice concentrates, citric acid, natural flavors, sodium benzoate & potassium sorbate, yellow 5, blue 1.

**Grapefruit**

Labels bearing the above product name have the following ingredient statement:

Carbonated spring water, fructose, corn syrup, grapefruit juice concentrate, citric acid, potassium citrate, natural flavors, sodium benzoate, potassium sorbate.

### **Mountainberry**

Labels bearing the above product name have the following ingredient statement:

Carbonated spring water, fructose, corn syrup, lemon, grape, strawberry and raspberry juice concentrates, citric acid, natural flavors, sodium benzoate, potassium sorbate, red 40.

### **Orange**

Labels bearing the above product name have the following ingredient statement:

Carbonated spring water, fructose, corn syrup, orange and lemon, juice concentrates, citric acid, potassium citrate, natural flavors, sodium benzoate & potassium sorbate, yellow 6.

### **Strawberry-Kiwi**

Labels bearing the above product name have the following ingredient statement:

Carbonated spring water, fructose, corn syrup, lemon, kiwi, strawberry and grape juice concentrates, citric acid, natural flavors, sodium benzoate, potassium sorbate, red 40.

## **Eastside Beverage Company**

### **SPARKLING SPRING WATER FRUIT BEVERAGE**

#### **Orange Passion Fruit Refresher**

Labels bearing the above product name have the following ingredient statement:

Carbonated Natural Spring Water, concentrated orange and passion fruit juices, high fructose corn syrup, natural passion fruit flavor, natural orange flavor, with other natural flavors.

#### **Red Raspberry Refresher**

Labels bearing the above product name have the following ingredient statement:

Carbonated Natural Spring Water, concentrated grape, peach, lemon, and raspberry juices, natural raspberry flavor, high fructose corn syrup, with other natural flavors.

#### **Strawberry Kiwi Refresher**

Labels bearing the above product name have the following ingredient statement:

Carbonated Natural Spring Water, concentrated strawberry and kiwi juices, high fructose corn

syrup, natural strawberry and kiwi flavors, with other natural flavors.

### **Wild Blackberry Refresher**

Labels bearing the above product name have the following ingredient statement:

Carbonated Natural Spring Water, concentrated grape and blackberry juices, high fructose corn syrup, natural blackberry flavor, with other natural flavors.

### **Pink Grapefruit Refresher**

Labels bearing the above product name have the following ingredient statement:

Carbonated Natural Spring Water, concentrated grapefruit and grape juices, high fructose corn syrup, natural grapefruit flavor, with other natural flavors.

## **International Home Foods**

### **Grist Mill™ Curious George™ Fruit Snacks**

Labels bearing the above product name have the following ingredient statement:

Fruit juice from concentrate (apple, pear, grape, strawberry, orange, lemon), corn syrup, sugar, modified food starch, partially hydrogenated vegetable oil (cottonseed and soybean), malic acid, natural and artificial flavors, mineral oil, ascorbic acid (vitamin C), soy lecithin, Blue 1, red 40, yellow 5, yellow 6, beeswax.

## **Promotion In Motion, Inc.**

### **DINOSAURS Real Fruit Snacks**

Labels bearing the above product name have the following ingredient statement:

Juice from concentrate (pineapple, pear, peach), acerola, fruit puree (strawberry, cherry, orange, lime, or grape), corn syrup, sucrose, gelatin, modified corn starch, citric acid, lactic acid, pectin, natural and artificial flavors, hydrogenated soybean oil, mineral oil, red #40, yellow #5, blue #1, yellow #6 and beeswax.

### **FRUIT PARADE® Real Fruit Snacks**

Labels bearing the above product name have the following ingredient statement:

Juice from concentrate (pineapple, pear, peach), acerola, fruit puree (strawberry, cherry, orange, lemon, apple or grape), corn syrup, sucrose, gelatin, modified corn starch, citric acid, lactic acid,

pectin, natural and artificial flavors, hydrogenated soybean oil, mineral oil, carnauba wax, red #40, yellow #5, blue #1, yellow #6 and beeswax.

#### **ALL STARS Real Fruit Snacks**

Labels bearing the above product name have the following ingredient statement:

Juice from concentrate (pineapple, pear, peach), acerola, fruit puree (strawberry, cherry, orange, lemon, apple or grape), corn syrup, sucrose, gelatin, modified corn starch, citric acid, lactic acid, pectin, natural and artificial flavors, hydrogenated soybean oil, mineral oil, carnauba wax, red #40, yellow #5, blue #1, yellow #6 and beeswax.

#### **Pirate's TREASURE™ Real Fruit Snacks**

Labels bearing the above product name have the following ingredient statement:

Juice from concentrate (pineapple, pear, peach), acerola, fruit puree (strawberry, cherry, orange, lemon, apple or grape), corn syrup, sucrose, gelatin, modified corn starch, citric acid, lactic acid, pectin, natural and artificial flavors, hydrogenated soybean oil, mineral oil, carnauba wax, red #40, yellow #5, blue #1, yellow #6 and beeswax.

#### **JAWS™ Real Fruit Snacks**

Labels bearing the above product name have the following ingredient statement:

Juice from concentrate (pineapple, pear, peach), acerola, fruit puree (strawberry, cherry, orange, lemon, apple or grape), corn syrup, sucrose, gelatin, modified corn starch, citric acid, lactic acid, pectin, natural and artificial flavors, hydrogenated soybean oil, mineral oil, carnauba wax, red #40, yellow #5, blue #1, yellow #6 and beeswax.

#### **TRICKERTREATS™ HALLOWEEN TIME Real Fruit Snacks**

Labels bearing the above product name have the following ingredient statement:

Juice from concentrate (pineapple, pear, peach), acerola, fruit puree (strawberry, cherry, orange, lemon, apple or grape), corn syrup, sucrose, gelatin, modified corn starch, citric acid, lactic acid, pectin, natural and artificial flavors, hydrogenated soybean oil, mineral oil, carnauba wax, red #40, yellow #5, blue #1, yellow #6 and beeswax.

### **Gage Foods**

#### **Fruit Shapes Fruit Snacks**

Labels bearing the above product name have the following ingredient statement:

Fruit juice from concentrate (orange, cherry, grape, strawberry, lemon, apple), corn syrup, sugar, gelatin, sorbitol, malic acid, ascorbic acid, sodium citrate, natural and artificial flavors, mineral oil, carnauba wax, red #40, blue #1, yellow #6, yellow #5.

## **Brach's Confections, Inc.**

### **Hi-C® Fruit Snack**

Labels bearing the above product name will have the following ingredient statement:

Fruit juice concentrates (orange, grape, strawberry, apple, cherry, and lemon), corn syrup, sugar, gelatin, sorbitol, malic acid, ascorbic acid, (vitamin C), sodium citrate, natural and artificial flavors, mineral oil, carnauba wax, red 40, yellow 6 yellow 5, blue 1.

### **Froot Loops Fruit Snacks**

Labels bearing the above product name have the following ingredient statement:

Corn syrup, sugar, orange juice concentrate, modified corn starch, gelatin, sorbitol, citric acid, natural and artificial flavors, sodium citrate, ascorbic acid (vitamin C), mineral oil, corn oil, tocopherol acetate (vitamin E), carnauba wax, vitamin A palmitate, red 40, yellow 6, blue 1, yellow 5.

### **Clifford, the Big Red Dog™ Fruit Snacks**

Labels bearing the above product name have the following ingredient statement:

Corn Syrup, Sugar, Orange Juice Concentrate, Modified Corn Starch, Gelatin, Sorbitol, Citric Acid, Natural and Artificial Flavors, Sodium Citrate, Ascorbic Acid (Vitamin C), Mineral Oil\*, Corn Oil\*, Tocopherol Acetate (Vitamin E), Carnauba Wax\*, Vitamin A Palmitate, Red 40, Yellow 6, Tellow 5, Blue 1. \*Adds a dietarily insignificant amount of fat.

## **Mac Farms, Inc.**

### **e-Moo Carbonated Dairy-Based Beverage**

Labels bearing the above product name have the following ingredient statement:

Skim milk, crystalline fructose, natural & artificial flavors, vitamin A palmitate, vitamin D<sub>3</sub>, carbon dioxide.